

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Charles Slater, et al.

Group Art Unit: 3735

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Serial No.: 10/811,536

Examiner: Samuel G. Gilbert

Filed: March 29, 2004

Attorney Docket: SYN-034 C2

Title: RadioActive Therapeutic Seed Having Selective Marker Configuration

I hereby certify that this correspondence is being facsimile transmitted on this day to 571-273-8300.



5-24-06

David P. Gordon

Date

Honorable Commissioner for Patents
Alexandria, VA 22313

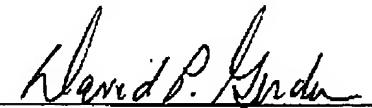
Sir:

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DOUBLE PATENTING REJECTION OVER A PATENT**

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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under

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